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PATENT  
Attorney Docket No.: 020489-000500US

#5

Assistant Commissioner for Patents  
Washington, D.C. 20231

03.10.03

TOWNSEND and TOWNSEND and CREW LLP

By: *Edward Masinas*  
Edward Masinas

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MAR 21 2003  
TECHNOLOGY CENTER R3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MARTIN, Brian B. et al.

Application No.: 10/087,004

Filed: March 1, 2002

For: SUTURE ANCHORS AND  
METHODS OF USE

Examiner: Not Yet Assigned

Art. Unit: 3731

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER 37  
CFR §1.97 and §1.98

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The references cited on attached forms PTO/SB/08A and PTO SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

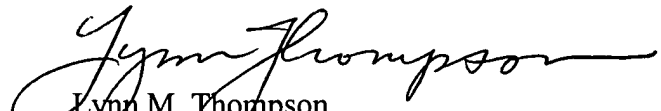
As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be material to patentability because they are in this statement. No inference

should be made that the information and references cited are prior art merely because they are in this statement.

Applicant believes that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

  
Lynn M. Thompson  
Reg. No. 47,991

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 650-326-2422  
LMT:rms  
PA 3283825 v1

MAR 19 2003

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 3

**Complete if Known**

Application Number	10/087,004
Filing Date	March 1, 2002
First Named Inventor	MARTIN, BRIAN B., et. al.
Art Unit	3731
Examiner Name	Not Yet Assigned
Attorney Docket Number	020489-000500US

**U.S. PATENT DOCUMENTS**

Examiner	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	US 4,641,366 B1	10-08-2002	Seguin	
	2	US 6,269,819 B1	08-07-2001	Oz et al.	
	3	US 6,165,183	12-26-2000	Kuehn et al.	
	4	US 6,019,722	02-01-2000	Spence et al.	
	5	US 5,885,271	03-23-1999	Hamilton et al.	
	6	US 5,947,363	09-07-1999	Bolduc et al.	
	7	US 5,879,307	03-09-1999	Chio et al.	
	8	US 5,833,671	11-10-1998	Macoviak et al.	
	9	US 5,827,237	10-27-1998	Macoviak et al.	
	10	US 5,824,065	10-20-1998	Gross	
	11	US 5,810,847	09-22-1998	Laufer et al.	
	12	US 5,797,927	08-25-1998	Yoon	
	13	US 5,713,910	02-03-1998	Gordon et al.	
	14	US 5,571,215	11-05-1996	Sterman et al.	
	15	US 5,571,137	11-5-1996	Marlow et al.	
	16	US 5,542,949	08-06-1996	Yoon	
	17	US 5,522,873	06-04-1996	Jackman et al.	
	18	US 5,478,353	12-26-1995	Yoon	
	19	US 5,478,309	12-26-1995	Sweezer et al.	
	20	US 5,450,860	09-19-1995	O'Connor	
	21	US 5,423,882	06-13-1995	Jackman et al.	
	22	US 5,423,858	06-13-1995	Bolanos et al.	
	23	US 5,417,700	05-23-1995	Egan	
	24	US 5,403,326	04-04-1995	Harrison et al.	
	25	US 5,209,756	05-11-1993	Seedhorn et al.	
	26	US 5,069,679	12-3-1991	Taheri	
	27	US 5,049,153	09-17-1991	Nakao et al.	
	28	US 5,042,707	08-27-1991	Taheri	
	29	US 4,809,695	03-07-1989	Gwathmey et al.	

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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	30	PCT	WO 81/00668	03-19-1981	Jansen et al.		<input type="checkbox"/>
	31	GB	2151142	07-17-1985	Bonnet		<input type="checkbox"/>

Examiner Signature	Date Considered
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 3

### Complete if Known

Application Number	10/087,004
Filing Date	March 1, 2002
First Named Inventor	MARTIN, BRIAN B., et. al.
Art Unit	3731
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Attorney Docket Number	020489-000500US

### FOREIGN PATENT DOCUMENTS

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		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	32	DE	3504292		07-24-1986	Hiltebrandt et al.		<input type="checkbox"/>
	33	PCT	WO 91/01689		02-21-1991	Segalowitz et al.		<input type="checkbox"/>
	34	PCT	WO 94/18893		09-01-1994	Fitton et al.		<input type="checkbox"/>
	35	PCT	WO 94/18881		09-01-1994	Sterman et al.		<input type="checkbox"/>
	36	EP	0684012	A2	02-16-1995	Konrad et al.		<input type="checkbox"/>
	37	PCT	WO 97/39688		10-30-1997	Laufer et al.		<input type="checkbox"/>
	38	PCT	WO 98/35638		08-20-1998	Laufer et al.		<input type="checkbox"/>
	39	PCT	WO 98/30153		07-16-1998	Gardiner et al.		<input type="checkbox"/>
	40	PCT	WO 99/00059		01-07-1999	Oz et al.		<input type="checkbox"/>
	41	PCT	WO 99/01377		01-14-1999	Todarello		<input type="checkbox"/>
	42	PCT	WO 99/07354		02-18-1999	Duhaylongsod		<input type="checkbox"/>
	43	EP	0558031		04-14-1999	Green et al.		<input type="checkbox"/>
	44	JP	11089937		06-04-1999	Atsuo et al.		<input type="checkbox"/>
	45	PCT	WO 00/03759		01-27-2000	Kuehn et al.		<input type="checkbox"/>
	46	PCT	WO 01/26557		04-19-2001	Grimes		<input type="checkbox"/>
	47	PCT	WO 01/28432		04-26-2001	Allen et al.		<input type="checkbox"/>

Examiner  
Signature

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet 3 of 3

**Complete if Known**

Application Number	10/087,004
Filing Date	March 1, 2002
First Named Inventor	MARTIN, BRIAN B., et. al.
Art Unit	3731
Examiner Name	Not Yet Assigned
Attorney Docket Number	020489-000500US

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	48	Abe et al., De Vega's annuloplasty for acquired tricuspid disease: Early and late results in 110 patients, Ann. Thorac. Surg., 1989, 48:670-675.	
	49	Bailey, Surgery of the Heart, Chapter 20, 1995, pp. 686-737.	
	50	F. Maisano, The Edge to-edge technique: A simplified method to correct mitral insufficiency, European Journal of Cardio-thoracic Surgery 13, 1998, pp. 240-246.	
	51	Reul, Ross M. and Cohn, Lawrence II, Mitral Valve Reconstruction for Mitral Insufficiency, Progress in Cardiovascular Diseases, No. 6, May/June, 1997, pp. 567-599, Vol. XXXIX.	

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number

10/087,004

Filing Date

March 1, 2002

First Named Inventor

MARTIN, BRIAN B.

Art Unit

3731

Examiner Name

Not Yet Assigned

Attorney Docket Number

020489-000500US

**ENCLOSURES (Check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Supplemental Information  
Disclosure Statement (2 pgs)  
w/attached PTO/SB/08A (1 pg) (citing  
refs 1-51)☐ Certified Copy of Priority  
Document(s)☐ Response to Missing Parts/  
Incomplete Application☐ Response to Missing Parts  
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s)☐ After Allowance Communication to  
Group☐ Appeal Communication to Board of  
Appeals and Interferences☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)  
(please identify below):

1. Return Postcard; and,

2. A copy of each of 51 references.

Remarks

The Commissioner is authorized to charge any additional fees to  
Deposit Account 20-1430.**\* Note: References not included in the total number of pages above.****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm  
or  
Individual

Townsend and Townsend and Crew LLP

Lynn M. Thompson

Reg. No. 47,991

Signature

Date

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ROSALINDA M. SANTOS

Signature

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231. If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2. PA 3284419 v1